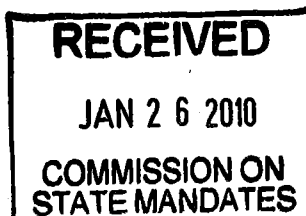


January 20, 2010

Ms. Paula Higashi
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814



Dear Ms. Higashi:

As requested in your letter of December 21, 2009, the Department of Finance (Finance) has reviewed the revised proposed parameters and guidelines (Ps&Gs) submitted by the Los Angeles County (claimant) for Test Claim No. CSM-02-TC-18 "Crime Victims' Domestic Violence Incident Reports II." The claimant has revised the proposed Ps&Gs to modify the descriptions of activities that the claimant alleges are reasonably necessary to carry out the mandate pursuant to Penal Code Section 12028.5 and provide documentation of 12 standard time survey questionnaires supporting the proposed reasonable reimbursement methodology (RRM) to "simplify the administrative claiming process and reduce costs."

Finance opposes the revised Ps&Gs because some activities may not be reasonably necessary to carry out the statutes found to be reimbursable mandates; the Ps&Gs lack information showing how the proposed activities relate to Penal Code Section 12028.5 when a weapon or firearm is discovered pursuant to other lawful searches; and the standard time surveys lack sufficient data or information to support the proposed RRM pursuant to Government Code Section 17518.5.

Finance believes that some activities proposed by the claimant may overlap. As a result, these activities may not be reasonably necessary to carry out the mandate. Specifically, the revised Ps&Gs do not distinguish the necessity for the activity of processing the firearm from the activity of entering firearm information into an internal and state agency database. Further, the activities related to the subdivisions of Penal Code Section 12028.5 found to be reimbursable if a weapon or firearm is discovered pursuant to other lawful searches remain vague under scenarios 2 through 5.

Finance notes that the standard time survey questionnaires that the claimant used to develop the standard times for five possible scenarios lack sufficient information, e.g., tasks related to petitions for a second hearing, to be a representative sample of eligible claimants. Further, neither the survey questionnaires nor the Ps&Gs provide any information on how the proposed RRM is cost-efficient. Finance also notes that the Ps&Gs should include cities as well as counties as eligible claimants.

As noted in prior comments, Finance would recommend that reimbursement for this claim be based on actual costs, if we cannot reach a reasonable reimbursement rate for a domestic violence call with all interested parties.

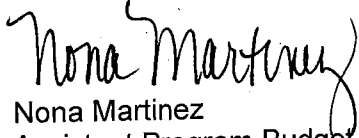
Ms. Paula Higashi
January 20, 2010
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Finance, however, agrees with the claimant that other local agencies should perform time studies to document the repetitive tasks involved in carrying out the mandate.

As required by the Commission's regulations, a "Proof of Service" has been enclosed indicating that the parties included on the mailing list which accompanied your December 21, 2010, letter have been provided with copies of this letter via either United States Mail or, in the case of other state agencies, Interagency Mail Service.

If you have any questions regarding this letter, please contact the Jeff Carosone, Principal Program Budget Analyst at (916) 445-8913.

Sincerely,

A handwritten signature in black ink that reads "Nona Martinez". The signature is written in a cursive style with a large, stylized "N" and "M".

Nona Martinez
Assistant Program Budget Manager

Enclosure

Attachment A

DECLARATION OF JEFF CAROSONE
DEPARTMENT OF FINANCE
CLAIM NO. CSM-02-TC-18

1. I am currently employed by the State of California, Department of Finance (Finance), am familiar with the duties of Finance, and am authorized to make this declaration on behalf of Finance.

I certify under penalty of perjury that the facts set forth in the foregoing are true and correct of my own knowledge except as to the matters therein stated as information or belief and, as to those matters, I believe them to be true.

January 21, 2010
at Sacramento, CA

Jeff Carosone
Jeff Carosone

PROOF OF SERVICE

Test Claim Name: Crime Victims' Domestic Violence Incident Reports II
Test Claim Number: CSM-02-TC-18

I, the undersigned, declare as follows:

I am employed in the County of Sacramento, State of California, I am 18 years of age or older and not a party to the within entitled cause; my business address is 915 L Street, 8th Floor, Sacramento, CA 95814.

On 1-21-2010, I served the attached recommendation of the Department of Finance in said cause, by facsimile to the Commission on State Mandates and by placing a true copy thereof: (1) to claimants and nonstate agencies enclosed in a sealed envelope with postage thereon fully prepaid in the United States Mail at Sacramento, California; and (2) to state agencies in the normal pickup location at 915 L Street, 8th Floor, for Interagency Mail Service, addressed as follows:

A-16
Ms. Paula Higashi, Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
Facsimile No. 445-0278

Mr. Allan Burdick
Maximus
3130 Kilgore Road, Suite 400
Rancho Cordova, CA 95670

B-08
Mr. Jim Spano
State Controller's Office
Division of Audits
300 Capitol Mall, Ste. 518
Sacramento, CA 95814

A-15
Ms. Susan Geanacou
Department of Finance
915 L Street, Suite 1280
Sacramento, CA 95814

Mr. Steve Shields
Shields Consulting Group, Inc.
1536 36th Street
Sacramento, CA 95816

Mr. David Wellhouse
David Wellhouse and Associates, Inc.
9175 Kiefer Boulevard, Suite 121
Sacramento, CA 95826

Ms. Jolene Tollenaar
MGT of America
2001 P Street, Suite 200
Sacramento, CA 95811

A-15
Ms. Carla Castaneda
915 L Street, 12th Floor
Sacramento, CA 95816

B-08
Ms. Ginny Brummels
State Controller's Office
Division of Accounting and Reporting
3301 C Street, Suite 500
Sacramento, CA 95816

Mr. Glen Everroad
City of Newport Beach
3300 Newport Boulevard
PO Box 1768
Newport Beach, CA 92659-1768

Proof of Service
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Ms. Bonnie TerKeurst
County of San Bernardino
Office of the Auditor/Controller
222 West Hospitality Lane
San Bernardino, CA 92415-0018

Ms. Juliana F. Gmur
MAXIMUS
2380 Houston Avenue
Clovis, CA 93611

Mr. Dale Mangram
Riverside County Auditor Controller's Office
4080 Lemon Street, 11th floor
Riverside, CA 92502

Ms. Beth Hunter
Centration Inc.
8570 Utica Avenue, Suite 100
Rancho, Cucamonga, CA 91730

Ms. Hasmik Yaghobyan
County of Los Angeles
Auditor-Controller's Office
500 W. Temple Street, Room 603
Los Angeles, CA 90012

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on 1-21-2010 at Sacramento, California.


Kelly Montelongo